Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes November 16, 2012

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 16, 2012 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners

Mmes. Perrus, Reveal, Shively, Wencl; and

Present:

Messrs. Edgerton, Gelgelu, Lindeke, Oliver, Schertler, Spaulding, Ward, and

Wickiser.

Commissioners

Mmes. *Merrigan, *Noecker, *Porter, *Thao, *Wang, and Messrs. *Connolly,

*Nelson, and *Ochs.

Absent:

*Excused

Also Present:

Donna Drummond, Planning Director; Lucy Thompson, Patricia James, Michelle

Beaulieu, Scott Tempel, Bill Dermody, and Sonja Butler, Department of

Planning and Economic Development staff.

I. Approval of minutes November 2, 2012.

<u>MOTION</u>: Commissioner Reveal moved approval of the minutes of November 2, 2012. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Wencl had no announcements.

III. Planning Director's Announcements

Donna Drummond announced that the appeal of the site plan approval for the Rice Street Market was heard by City Council last week. The Council upheld the Planning Commission's approval of that site plan and denied the appeal.

The other item is related to the nonconforming use amendments that were at City Council and were laid over. Council President Lantry introduced some changes from the Planning Commission's recommendations, which will be up for final adoption on Nov. 28th. There are three major changes proposed. One would not permit vertical expansions of nonconforming buildings that had nonconforming set backs. For example, this would limit the ability to add a second story onto a house if the set back was 3 feet and the set back requirement was 4 feet. The other change would not allow nonconforming structures that were built as a duplex or 4-plex, for example, to be re-established without going through a re-establishment of non-conforming use permit process. The third change was to the requirements for nonconforming use petitions. The Planning Commission had recommended that property owners of 51% of the properties within

100 feet of the use must sign the petition, and this was changed back to the two-thirds requirement that is currently in the Zoning Code.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

Three items came before the staff Site Plan Review Committee on Tuesday, November 13, 2012:

- Aurora Day Care, parking lot and storm drain plan at 1048 Aurora Avenue.
- Summit Brewery, 7900 sf Addition to Brewery at 910 Montreal Circle.
- Macalester Fine and Performing Arts Center, Phase 2 Art Building addition and renovation at 130 Macalester Street.

Three items to come before the staff Site Plan Review Committee on Tuesday, November 20, 2012:

- Prosperity Heights Elementary School, new parking lot at 1305 Prosperity.
- Custom Renovations, new contractors shop and parking lot at 1464 Selby.
- Johnson Brothers Liquor, 70,000 square foot addition to existing warehouse at 1999 Shepard Road.

OLD BUSINESS

#12-109-252 Hip Hounds Inc – Establishment of legal nonconforming use as a dog daycare with outdoor relief/exercise area. 1752 Grand Avenue between Wheeler and Fairview. (Michelle Beaulieu, 651/266-6620)

Commissioner Edgerton asked for clarification that if this business were new and just being proposed, it would not be allowed, but based on these other reasons stated, it's being allowed to continue.

Commissioner Perrus said that was correct; that if a business wanted to start today in that zoning district it would not be an allowed use. In 2007 the zoning administrator determined that this use was most appropriate in industrial zoned areas. The applicant has two other facilities operating within Saint Paul that are located in industrial zoned areas. The committee has asked the zoning administrator to consider if there are other options for these types of businesses. Each individual application would have to be considered, but this business fits at that location. If this business had started legally, it would have legal nonconforming use status as a business. Because it was not legally established, the Planning Commission can put on the condition related to transfer of ownership.

<u>MOTION</u>: Commissioner Perrus moved the Zoning Committee's recommendation to approve the establishment of legal nonconforming use subject to additional conditions. The motion carried unanimously on a voice vote.

NEW BUSINESS

#12-202-256 Metropolitan Council Environmental Services – Conditional use permit for a 5' x 5' x 7' water sampling shelter elevated to be above the regulatory flood protection elevation by a method other than fill. 2225-2255 Childs Road Terminus of Childs Road. (Josh Williams, 651/266-6659)

<u>MOTION</u>: Commissioner Perrus moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

#12-115-857 Good Guys Auto Body – Re-establishment of nonconforming use as an auto body shop. 744 3rd Street East, SW corner at Maple. (Bill Dermody, 651/266-6617)

<u>MOTION</u>: Commissioner Perrus moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

Commissioner Perrus announced the items on the agenda for the next Zoning Committee meeting on Tuesday, November 20, 2012.

V. Comprehensive Planning Committee

No report.

VI. Neighborhood Planning Committee

<u>West Side Flats Master Plan and Development Guidelines</u> – Adopt resolution initiating the update of West Side Flats Master Plan and Development Guidelines; creating a community task force; and initiating a zoning study for the area bounded by Robert Street on the west, the Mississippi River on the north, Lafayette/Hwy. 52 on the east and Plato Boulevard on the south. (*Lucy Thompson*, 651/266-6578)

Commissioner Spaulding said that the Neighborhood Planning Committee met and considered the basic framework for how to go about updating the West Side Flats Master Plan and Development Guidelines. The resolution sets that process in motion, to update the West Side Flats Master Plan and Development Guidelines, create a task force appointed by the Planning Commission and initiate a zoning study.

Commissioner Schertler said that the Port Authority talked about industrial land use development during preparation of the Great River Passage Master Plan (Lorrie Louder from the Port Authority is here today), and their concerns about preserving it and certain design standards and density. Schertler recommended having the Port Authority represented on the task force.

Chair Wencl said the Committee discussed task force membership and decided not to recommend specific groups to be represented in order to give staff some flexibility in soliciting members.

Lucy Thompson said that she has been talking to the Port Authority for at least a year about the West Side Flats Master Plan update, and that Port Authority staff have already committed to sitting on the task force. Ms. Thompson noted that a Request for Proposals has already been issued soliciting multi-disciplinary consultant teams to work with staff and the task force on the update. Five proposals were received, and a consultant will be selected before the end of the year.

Commissioner Ward asked about the differences between the project management team and the task force.

Ms. Thompson responded that the Project Management Team is comprised of City staff from PED, Public Works and DSI, as well as the Saint Paul Design Center. The task force will be comprised of residents, property owners, business owners, employees, and representatives from relevant river advocacy and environmental groups that have had a previous role in planning for the Flats.

Commissioner Reveal expressed her excitement at co-chairing the task force.

<u>MOTION</u>: Commissioner Spaulding moved the Neighborhood Planning Committee's recommendation to approve the resolution initiating the update for the West Side Flats Master Plan, Development Guidelines and zoning study and creating a task force. The motion carried unanimously on a voice vote.

VII. Transportation Committee

Commissioner Spaulding said at their last meeting they continued their discussion of the City's approach to the Streetcar Study, which the Commission was briefed on at the last Planning Commission meeting.

Commissioner Spaulding announced that the Transportation Committee will not be meeting on Monday, November 19, 2012.

VIII. Communications Committee

No report.

IX. Task Force/Liaison Reports

No reports.

X. Old Business

None.

XI. New Business

None.

XII. Adjournment

Meeting adjourned at 9:10 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,

Donna Drummond Planning Director Approved ____ November 30, 2012

(Date)

Daniel Ward II

Secretary of the Planning Commission

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